

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST LITIGATION

This Document Relates To:

ALL ACTIONS

Civil Action No. 0:18-cv-01776 JRT/JFD

**CERTAIN DIRECT ACTION PLAINTIFFS' MOTION TO COMPEL
PRODUCTION OF SALES DATA**

The undersigned Direct Action Plaintiffs (the “Moving DAPs”)¹ respectfully move this Court to compel Hormel Foods Corporation, Hormel Foods LLC, JBS USA, INC., Smithfield Foods, Inc., Tyson Foods, Inc., Tyson Prepared Foods, Inc., and Tyson Fresh Meats, Inc. (collectively, the “Defendants”) to produce their structured sales data for four categories of pork products. Defendants sold these categories of pork products to Moving DAPs, and DAPs served a request to produce these data in October 2021. Defendants nonetheless refuse to produce their sales data for these pork products.

This motion is based upon the grounds set forth in the accompanying memorandum of law submitted pursuant to Federal Rule of Civil Procedure 37, Local Rules 7.1 and 37.1, and all of the files, records, and proceedings in this matter.

¹ Moving DAPs are: Compass Group USA, Inc., Conagra Brands, Inc., Howard B. Samuels solely as Trustee for the estate of Central Grocers, Inc. Nestlé USA, Inc., Nestlé Purina PetCare Company, Amory Investments LLC, and Sysco Corporation.

September 20, 2022

Respectfully submitted,

/s/ David C. Eddy

David C. Eddy

Dennis J. Lynch

Travis C. Wheeler

NEXSEN PRUET LLC

1230 Main Street, Suite 700

Columbia, SC 29201

Telephone: (803) 771-8900

Facsimile: (803) 253-8277

deddy@nexsenpruet.com

dlynch@nexsenpruet.com

twheeler@nexsenpruet.com

Attorneys for Plaintiffs Nestlé USA, Inc.; Nestlé Purina PetCare Company; Conagra Brands, Inc.; Howard B. Samuels, solely as Chapter 7 Trustee of the estate of Central Grocers, Inc.; and Compass Group USA, Inc.

September 20, 2022

/s/ Scott E. Gant

Scott E. Gant
Michael S. Mitchell
BOIES SCHILLER FLEXNER LLP
1401 New York Ave., NW
Washington, DC 20005
Tel: 202-237-2727
Fax: 202-237-6131
sgant@bsfllp.com
mmitchell@bsfllp.com

Colleen Harrison
BOIES SCHILLER FLEXNER LLP
333 Main Street
Armonk, NY 10504
Tel: 914-749-8204
Fax: 914-749-8300
charrison@bsfllp.com

Sarah L. Jones
BOIES SCHILLER FLEXNER LLP
725 South Figueroa Street
Los Angeles, California 90017
Tel: 213-629-9040
Fax: 213-629-9022
sjones@bsfllp.com

*Attorneys for Plaintiffs Sysco Corporation and
Amory Investments LLC*